

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

THE NEW YORK TIMES COMPANY,

Plaintiff,

v.

MICROSOFT CORPORATION, OPENAI, INC.,  
OPENAI LP, OPENAI GP, LLC, OPENAI, LLC,  
OPENAI OPCO LLC, OPENAI GLOBAL LLC,  
OAI CORPORATION, LLC, and OPENAI  
HOLDINGS, LLC,

Defendants.

Civil Action No.  
1:23-cv-11195 (SHS) (OTW)

Daily News, LP; Chicago Tribune Company, LLC;  
Orlando Sentinel Communications Company, LLC;  
Sun-Sentinel Company, LLC; San Jose Mercury  
News, LLC; DP Media Network, LLC; ORB  
Publishing, LLC; and Northwest Publications, LLC

Plaintiffs,

v.

MICROSOFT CORPORATION, et al.,

Defendants.

Civil Action No.  
1:24-cv-3285 (SHS) (OTW)

THE CENTER FOR INVESTIGATIVE  
REPORTING, INC.,

Plaintiff,

v.

OPENAI, INC., OPENAI GP, LLC, OPENAI, LLC,  
OPENAI OPCO LLC, OPENAI GLOBAL LLC,  
OAI CORPORATION, LLC, OPENAI HOLDINGS,  
LLC, and MICROSOFT CORPORATION,

Defendants.

Civil Action No.  
1:24-cv-04872 (SHS) (OTW)

**NEWS PLAINTIFFS' MOTION TO SEAL**

Under paragraph 21 of the Stipulated Protective Order in this case (*Daily News* Dkt. 129), Plaintiffs The New York Times Company (“The Times”), Daily News, LP et al. (“Daily News”), and the Center for Investigative Reporting (“CIR”) (collectively, the “News Plaintiffs”) respectfully seek to provisionally file under seal portions of their letter motion to compel. The letter motion addresses a discovery dispute—specifically, the News Plaintiffs’ dispute with OpenAI about whether the “apex” doctrine applies to OpenAI employee Greg Brockman. The News Plaintiffs seek to file portions of this letter motion under seal because exhibits to the motion include and discuss documents that Defendants have designated as Protected Discovery Material under the Protective Order. The News Plaintiffs do not affirmatively seek to seal any material. Under the Protective Order, Defendants have five business days to file a statement of reasons for why the material should be sealed. The News Plaintiffs will review Defendants’ filings, and if necessary, confer about any disagreement.

Dated: March 31, 2025

/s/ Ian Crosby

Ian Crosby (*pro hac vice*)  
 Genevieve Vose Wallace (*pro hac vice*)  
 Katherine M. Peaslee (*pro hac vice*)  
 SUSMAN GODFREY L.L.P.  
 401 Union Street, Suite 3000  
 Seattle, WA 98101  
 Telephone: (206) 516-3880  
 Facsimile: (206) 516-3883  
[icrosby@susmangodfrey.com](mailto:icrosby@susmangodfrey.com)  
[gwallace@susmangodfrey.com](mailto:gwallace@susmangodfrey.com)  
[kpeaslee@susmangodfrey.com](mailto:kpeaslee@susmangodfrey.com)

Davida Brook (*pro hac vice*)  
Emily K. Cronin (*pro hac vice*)  
SUSMAN GODFREY L.L.P.  
1900 Ave of the Stars, Suite 1400  
Los Angeles, CA 90067  
Telephone: (310) 789-3100  
Facsimile: (310) 789-3150  
dbrook@susmangodfrey.com  
ecronin@susmangodfrey.com

Elisha Barron (5036850)  
Zachary B. Savage (ZS2668)  
Tamar Lusztig (5125174)  
Alexander Frawley (5564539)  
Eudokia Spanos (5021381)  
SUSMAN GODFREY L.L.P.  
One Manhattan West  
New York, NY 10001  
Telephone: (212) 336-8330  
Facsimile: (212) 336-8340  
ebarron@susmangodfrey.com  
zsavage@susmangodfrey.com  
tlusztig@susmangodfrey.com  
afrawley@susmangodfrey.com  
espanos@susmangodfrey.com

Scarlett Collings (4985602)  
SUSMAN GODFREY L.L.P.  
1000 Louisiana, Suite 5100  
Houston, TX 77002  
Telephone: (713) 651-9366  
Facsimile (713) 654-6666  
scollings@susmangodfrey.com

Steven Lieberman (SL8687)  
Jennifer B. Maisel (5096995)  
Kristen J. Logan (*pro hac vice*)  
ROTHWELL, FIGG, ERNST & MANBECK, P.C.  
901 New York Avenue, N.W., Suite 900 East  
Washington, DC 20001  
Telephone: (202) 783-6040  
Facsimile: (202) 783 6031

slieberman@rothwellfigg.com  
jmaisel@rothwellfigg.com  
klogan@rothwellfigg.com

*Attorneys for Plaintiff  
The New York Times Company*

/s/ Steven Lieberman

Steven Lieberman (SL8687)  
Jennifer B. Maisel (5096995)  
Robert Parker (*pro hac vice*)  
Jenny L. Colgate (*pro hac vice*)  
Mark Rawls (*pro hac vice*)  
Kristen J. Logan (*pro hac vice*)  
Bryan B. Thompson (6004147)  
ROTHWELL, FIGG, ERNST &  
MANBECK, P.C.  
901 New York Avenue, N.W., Suite 900 East  
Washington, DC 20001  
Telephone: (202) 783-6040  
Facsimile: (202) 783-6031  
slieberman@rothwellfigg.com  
jmaisel@rothwellfigg.com  
rparker@rothwellfigg.com  
jcolgate@rothwellfigg.com  
mrawls@rothwellfigg.com  
klogan@rothwellfigg.com  
bthompson@rothwellfigg.com

Jeffrey A. Lindenbaum (JL1971)  
ROTHWELL, FIGG, ERNST &  
MANBECK, P.C.  
3 Manhattanville Road, Suite 105  
Purchase, New York 10577  
Telephone: (202) 783-6040  
Facsimile: (202) 783-6031  
jlindenbaum@rothwellfigg.com

*Attorneys for Plaintiffs*

*Daily News, LP; The Chicago Tribune Company, LLC; Orlando Sentinel Communications Company, LLC; Sun-Sentinel Company, LLC; San Jose Mercury-News, LLC; DP Media Network, LLC; ORB Publishing, LLC; and Northwest Publications, LLC*

*/s/ Matthew Topic*

Jonathan Loevy (*pro hac vice*)  
Michael Kanovitz (*pro hac vice*)  
Lauren Carbajal (*pro hac vice*)  
Stephen Stich Match (No. 5567854)  
Matthew Topic (*pro hac vice*)  
Thomas Kayes (*pro hac vice*)  
Steven Art (*pro hac vice*)  
Kyle Wallenberg (*pro hac vice*)

LOEVTY & LOEVTY  
311 North Aberdeen, 3rd Floor  
Chicago, IL 60607  
312-243-5900 (p)  
312-243-5902 (f)  
jon@loevy.com  
mike@loevy.com  
carbajal@loevy.com  
match@loevy.com  
matt@loevy.com  
steve@loevy.com  
kayes@loevy.com  
wallenberg@loevy.com

*Attorneys for Plaintiff  
The Center for Investigative Reporting, Inc.*